

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:97CR310

THIS MATTER is before the Court on the Defendant's appeal of the Order of Detention entered by the Magistrate Judge.

The Defendant was summoned to appear before the Magistrate Judge on March 18, 2008, for an initial appearance on an alleged violation of the conditions of his supervised release. **See U.S. Probation Petition (Sealed), filed March 4, 2008.** A detention hearing was held the next day and the Magistrate Judge ordered Defendant detained without bond until adjudication of the supervised release violation by the District Court. Such hearing has been scheduled for April 23, 2008.

The Court will construe Defendant's "Notice of Appeal" from the Magistrate Judge's Order of Detention as a motion for revocation or

amendment pursuant to 18 U.S.C. § 3145(b), the statute that governs a district court's review of a magistrate judge's detention order.

Nonetheless, even when its procedural posture is corrected, the Defendant fails to offer additional evidence or argument as to why the Magistrate Judge's decision was in error. Accordingly, the "appeal" is summarily denied.

IT IS, THEREFORE, ORDERED that the Defendant's appeal is **DENIED**, and the Magistrate Judge's Order of Detention is **AFFIRMED**.

Signed: March 28, 2008



Lacy H. Thornburg
United States District Judge

